

Challenges and opportunities of consent-based siting

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What do we mean by “consent-based siting”?

Potential host community voluntarily agrees to a facility being built and operated in their jurisdiction



Östhammar, Sweden

Source: World Nuclear News.
<https://www.world-nuclear-news.org/Articles/Swedish-municipality-gives-approval-for-fuel-repos>

Why “consent”?

Why “consent” instead of:

- “Acceptance”
- “Social license to operate”



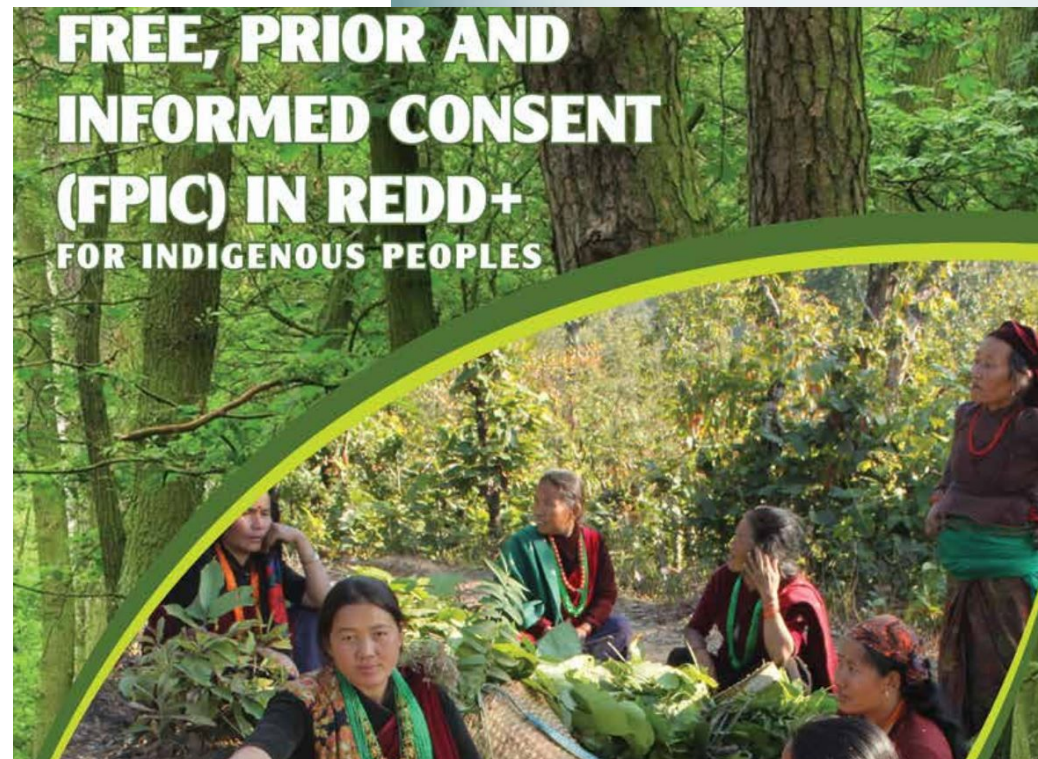
Consent

Medical ethics

Research ethics

Large infrastructure projects

Democracy



Elements of consent

Autonomy

Voluntariness

Understanding

Prior



Original Articles

Unpacking the idea of democratic community consent-based siting for energy infrastructure

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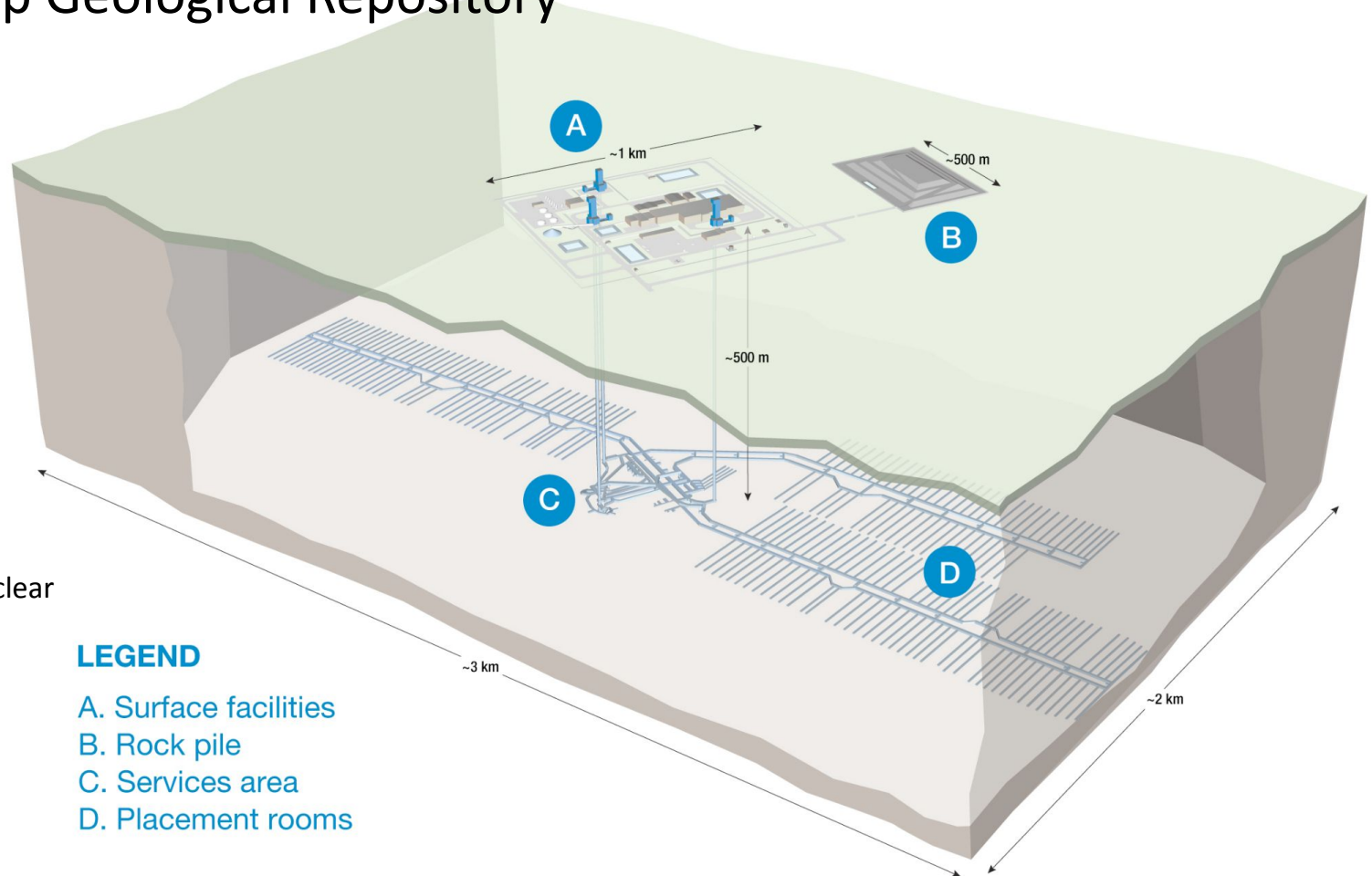
 <https://doi.org/10.1080/13669877.2020.1843068>



A consent-based siting process for what?

CIS - Consolidated Interim Storage

DGR - Deep Geological Repository



Source: Canadian Nuclear
Waste Management
Organization

Design challenges for a CBS process (not a complete list)

Who issues consent or refusal?

When is consent sought? More than once?

How to validate that people understand risks/benefits?

What is “due diligence” for organization running the process?

What roles are there for tribes, counties, states, federal gov?

How to ensure that benefits are not coercive?

Our research

Ask people deeply engaged in CBS conversations over past years how they think the process should be designed

- Community activists
- Nuclear industry
- Federal government
- State and tribal governments
- University/consultant/think tank

To gain deeper understanding into how different stakeholders think about consent & how to design and run a Consent-Based Siting process for permanent disposal of SNF and HLW

We found four different views

Perspective A: Get to Yes expediently

Perspective B: Seek acceptance by gaining trust

Perspective C: Promote inclusion and transparency for informed community choice

Perspective D: Develop legitimacy for the process and outcomes



Perspective A: Get to YES expediently

Focus on doing good science and make the safety case

Have clear technical criteria for the site

Site CIS facilities and DGRs at the same time

Set limits on community reversal of consent

Make sure community understands risks and benefits

Dialogue with all in community, but focus on quality not quantity



Perspective B: Seek acceptance by gaining trust

Focus on demonstrating trustworthiness

Have independent oversight of the process

Demonstrate listening to the public

Community oversee operations of facility (share power)

Have community help design the process and decide how they want to determine consent



Perspective C: Promote inclusion and transparency for informed community choice

Give community \$ to hire independent experts (trust and understanding)

Disclose all information and translate it if needed

Maximize number of people involved, referendum on consent

Make sure project will not add to injustice

Trust is not that important, sharing power is



Perspective D: Develop legitimacy for the process and outcomes

Demonstrate listening to the public

Give public role in setting standards for site approval and licensing

Let community decide how it wants to issue consent

Give community some oversight power once facility is operating

Don't have a strict timetable. Take the time needed to do it right

Trust the NRC to oversee the process, not an independent board

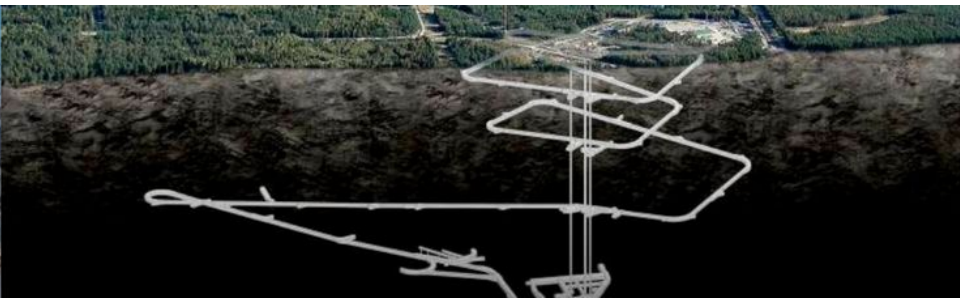


Points of agreement

- Funding is needed for communities and tribes to participate
- Tribes' decisions should not need state approval
- Communities should negotiate for benefits that make them better off, but are not coercive
- It may be necessary to violate prior promises and agreements
- Congress should not override decisions made by communities, tribes, or states, but there is no way to stop them
- Do not give transport communities a veto, but involve them
- Focus on economically disadvantaged pops. and future gens.

Points of disagreement or unresolved

- Focus on past untrustworthy behavior of DOE or move on?
- Let voters decide vs. let elected officials decide?
- How to have consistency when elections change leadership?
- A strict vs flexible timetable?
- If a community gave consent, can it take it back? If so, under what conditions?
- Configure entire system at one or do it piecemeal?



Thank you

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